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**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Family Stations, Inc.	)	File No. EB-FIELDWR-12-00003233
Licensee of FM Broadcast Station KPFR	)	
	)	
Facility ID # 85834	)	
	)	
Pine Grove, Oregon	)	NOV No. V201332920007

**NOTICE OF VIOLATION**

**Released: January 22, 2013**

By the Resident Agent, Portland Resident Agent Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules),<sup>1</sup> to Family Stations, Inc., license of FM Broadcast Station in Pine Grove, Oregon. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.<sup>2</sup>

2. On June 14, 2012, in response to a complaint, an agent of the Enforcement Bureau's Portland Office inspected KPFR transmitting facility located at the Timberline Communications Site, west of the Timberline Lodge in the Mt. Hood National Forest, Oregon and observed the following violations:

- a. 47 C.F.R. §73.1350(a): "Each licensee is responsible for maintaining and operating its broadcast station in a manner ... in accordance with the terms of the station authorization." During the inspection on June 14, 2012, the inspecting agent observed that KPFR operated on the frequency 89.5 MHz with a vertically polarized directional antenna model Shiverly Labs 6513-1 located on a pole at the Timberline Communications Site. The agent measured this antenna's radiation center with a laser rangefinder and determined that the antenna's radiation center was approximately 5 meters lower than the authorized value in the terms of the station authorization.

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 C.F.R. § 1.89(a).

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3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>3</sup> and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Family Stations, Inc., must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.<sup>4</sup>

4. In accordance with Section 1.16 of the Rules, we direct Family Stations, Inc. to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Family Stations, Inc., with personal knowledge of the representations provided in Family Stations, Inc., response, verifying the truth and accuracy of the information therein,<sup>5</sup> and confirming that all of the information requested by this Notice which is in the regulatee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>6</sup>

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
Portland Resident Agent Office  
P.O. Box 61469  
Vancouver, WA 98666-1469

6. This Notice shall be sent to the Family Stations, Inc., at its address of record.

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<sup>3</sup> 47 U.S.C. § 308(b).

<sup>4</sup> 47 C.F.R. § 1.89(c).

<sup>5</sup> Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person . . . . Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 C.F.R. § 1.16.

<sup>6</sup> 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

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7. The Privacy Act of 1974<sup>7</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

Binh Nguyen  
Resident Agent  
Portland Resident Agent Office  
Western Region  
Enforcement Bureau

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<sup>7</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).